

Public Law 118–190
118th Congress

An Act

To improve performance and accountability in the Federal Government, and for other purposes.

Dec. 23, 2024
[S. 709]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Agency Performance Act of 2024”.

Federal Agency
Performance Act
of 2024.
31 USC 1101
note.

SEC. 2. ESTABLISHMENT OF STRATEGIC REVIEWS AND REPORTING.

(a) STRATEGIC REVIEWS.—

(1) IN GENERAL.—Section 1121 of title 31, United States Code, is amended—

(A) by striking the section heading and inserting “**Progress reviews and use of performance information**”; and

(B) by adding at the end the following:

“(c) AGENCY REVIEWS OF PROGRESS TOWARDS STRATEGIC GOALS AND OBJECTIVES.—

“(1) COVERED GOAL DEFINED.—In this subsection, the term ‘covered goal’ means a goal or objective established in the strategic plan of the agency under section 306(a) of title 5.

“(2) REVIEW.—Not less frequently than annually and consistent with guidance issued by the Director of the Office of Management and Budget, the head and Chief Operating Officer of each agency, shall—

Timeline.

“(A) for each covered goal, review with the appropriate agency official responsible for the covered goal—

“(i) the progress achieved toward the covered goal—

“(I) during the most recent fiscal year; or

“(II) from recent sources of evidence available at the time of the review; and

“(ii) the likelihood that the agency will achieve the covered goal;

“(B) coordinate with relevant personnel within and outside the agency who contribute to the accomplishment of each covered goal;

“(C) assess progress toward each covered goal by reviewing performance information and other types of evidence relating to each covered goal, such as program evaluations and statistical data;

Assessment.

“(D) identify whether additional evidence is necessary to better assess progress toward each covered goal, and

Assessment.

prioritize the development of the evidence described in subparagraph (C), such as through the plans required under section 312 of title 5, if applicable;

“(E) assess whether relevant organizations, program activities, regulations, policies, and other activities contribute as planned to each covered goal;

“(F) as appropriate, leverage the assessment performed under subparagraph (E) as part of the portfolio reviews required under section 503(c)(1)(G);

“(G) identify any risks or impediments that would reduce or otherwise decrease the likelihood that the agency will achieve the covered goal; and

“(H) for each covered goal at greatest risk of not being achieved, identify prospects and strategies for performance improvement, including any necessary changes to program activities, regulations, policies, or other activities of the agency.

“(3) SUPPORT.—In fulfilling the requirements of paragraph (2), the head and Chief Operating Officer of each agency shall be supported by—

“(A) the Performance Improvement Officer of the agency;

“(B) as appropriate, the Chief Data Officer, Evaluation Officer, Program Management Improvement Officer, and Statistical Official of the agency; and

“(C) any other senior agency official designated by the head of the agency, the sustained involvement of whom may help the agency increase the likelihood of achieving 1 or more covered goals.”.

31 USC
prec. 1101.

(2) CONFORMING AMENDMENT.—The table of sections for Chapter 11 of title 31, United States Code, is amended by striking the item relating to section 1121 and inserting the following:

“1121. Progress reviews and use of performance information..”.

(b) SUMMARY REQUIRED.—Section 1116 of title 31, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (6)(E), by striking “and” at the end;

(B) in paragraph (7), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(8) include a summary of the findings of the review of the agency under section 1121(c).”; and

(2) by striking subsections (f) through (i).

SEC. 3. REVISIONS TO THE FEDERAL PERFORMANCE WEBSITE.

Section 1122 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (C)—

(I) by inserting “required to be included on the single website under subparagraph (A) and the information”; before “in the program inventory”; and

(II) by striking “and” at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(E) ensure that the website described in subparagraph (A) conforms with the requirements for websites under section 3(a) of the 21st Century Integrated Digital Experience Act (44 U.S.C. 3501 note).”; and

(B) in paragraph (4), by striking subparagraph (A) and inserting the following:

“(A) archive and preserve—

“(i) the information included in the program inventory required under paragraph (2)(B), including the information described in paragraph (3), after the end of the period during which that information is made available; and

“(ii) the information included in the single website under paragraph (2)(A) in accordance with subsections (b) and (c) after the end of the period during which such information is made available on the website; and”;

(2) in subsection (b), by striking paragraph (6) and inserting the following:

“(6) the results achieved toward the agency priority goals established under section 1120(b)—

“(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

“(B) at the end of the 2-year agency priority goal period compared to the overall planned level of performance;”; and

(3) in subsection (c), by striking paragraph (5) and inserting the following:

“(5) the results achieved toward the priority goals developed under section 1120(a)(1)—

“(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

“(B) at the end of the 4-year Federal Government priority goal period compared to the overall planned level of performance;”.

SEC. 4. FEDERAL GOVERNMENT PRIORITY GOALS.

Section 1120(a)(2) of title 31, United States Code, is amended by striking the second sentence and inserting “Such goals shall—

“(A) be updated and revised not less frequently than during the first year of each Presidential term;

“(B) be made publicly available not less frequently than concurrently with the submission of the budget of the United States Government under section 1105(a) made during the first full fiscal year following any year during which a term of the President commences under section 101 of title 3;

“(C) include plans for the successful achievement of each goal within each single Presidential term; and

“(D) explicitly cite to any specific contents of the budget described in subparagraph (B) that support the achievement of each goal.”.

Deadlines.

Update.

Public
information.

Plans.

SEC. 5. FEDERAL GOVERNMENT PRIORITY GOAL CO-LEADERS.

Section 1115(a) of title 31, United States Code, is amended by striking paragraph (3) and inserting the following:

“(3) for each Federal Government performance goal, identify, as appropriate, not fewer than 2 lead Government officials who shall jointly be responsible for coordinating the efforts to achieve the goal, of whom—

“(A) not less than 1 shall be from the Executive Office of the President; and

“(B) not less than 1 shall be from an agency identified as contributing to the Federal Government performance goal described in paragraph (2);”.

SEC. 6. REPEAL OF OUTDATED PILOT PROJECTS.

(a) **IN GENERAL.**—Chapter 11 of title 31, United States Code, is amended by striking sections 1118 and 1119.

(b) **CONFORMING AMENDMENT.**—Section 9704 of title 31, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) **CLERICAL AMENDMENT.**—The table of sections for chapter 11 of title 31, United States Code, is amended by striking the items relating to sections 1118 and 1119.

31 USC
prec. 1101.

SEC. 7. CLARIFYING AMENDMENTS.

(a) **CLARIFICATION OF REQUIREMENT TO CITE TO EVIDENCE-BUILDING ACTIVITIES IN STRATEGIC PLANS.**—Section 306(a) of title 5, United States Code, is amended—

(1) in paragraph (8) by inserting “, as applicable” after “section 312”; and

(2) in paragraph (9), in the matter preceding subparagraph (A), by inserting “with respect to the head of an agency required to develop a plan described in subsection (a) or (b) of section 312,” before “an assessment”.

(b) **CLARIFICATION OF TIMING OF AGENCY PERFORMANCE REPORT.**—Section 1116(b)(1) of title 31, United States Code, is amended by striking “shall occur no less than 150 days after” and inserting “shall occur not later than 150 days after”.

SEC. 8. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability

of the House of Representatives a report on the effectiveness of this Act and the amendments made by this Act.

Approved December 23, 2024.

LEGISLATIVE HISTORY—S. 709:

SENATE REPORTS: No. 118–18 (Comm. on Homeland Security and Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 170 (2024):

Feb. 8, considered and passed Senate.

Dec. 4, 5, considered and passed House, amended.

Dec. 18, Senate concurred in House amendment.

